

III. REMARKS

Claims 1-21 are pending in this application. Applicants do not acquiesce in the correctness of the rejections and reserve the right to present specific arguments regarding any rejected claims not specifically addressed. Further, Applicants reserve the right to pursue the full scope of the subject matter of the original claims in a subsequent patent application that claims priority to the instant application. Reconsideration in view of the following remarks is respectfully requested.

In the Office Action, claims 1-21 are rejected under 35 U.S.C. §112, first paragraph, as allegedly failing to comply with the written description requirement. Claims 14 and 18-21 are rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Wu *et al.* (U.S. Patent No. 6,473,558 B1), hereafter “Wu,” in view of Nagata (U.S. Patent No. 5,974,224), hereafter “Nagata,” and further in view of Bohnke (U.S. Patent No. 6,557,139 B2). Claims 1-13 and 15-17 are rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Wu in view of Nagata and Bohnke, and further in view of Kim (U.S. Patent No. 6,466,733 B1), hereafter “Kim.”

A. REJECTION OF CLAIMS 1-21 UNDER 35 U.S.C. §112, FIRST PARAGRAPH

The Office has asserted that claims 1-21 fail to comply with the written description requirement. Specifically, the Office argues that the limitation “decoding in a single iteration” is not sufficiently described in the specification. Applicants respectfully direct the Office to paragraphs 0037-0038 of the original specification, which describe operations that are performed by the invention to provide enhanced trick mode playback. Specifically, Applicants respectfully direct the Office to para. 0038, which recites “[a]s the frames are decoded, they will be read out

in order from their corresponding buffers according to display synchronization signal 162. So that the proper display order is maintained, the controller microcode will also synchronize the display pointer (not shown) to the current pointer address.” To this extent, reading the above in conjunction with the description of the decoding of para. 0037, it would be clear to one skilled in the art, *inter alia*, that the frames that are decoded by the single iteration alternating decoding of the claimed invention are in condition for display. Thus, no further decoding iterations are necessary. Accordingly, Applicants respectfully request that the rejection be withdrawn.

B. REJECTION OF CLAIMS 14 AND 18-21 UNDER 35 U.S.C. §103(a) OVER WU, NAGATA AND BOHNKE

With regard to the 35 U.S.C. §103(a) rejection over Wu, in view of Nagata and Bohnke, Applicants assert that the references cited by the Office do not teach each and every feature of the claimed invention. For example, with respect to independent claim 14, Applicants respectfully submit that the cited references fail to teach or suggest that the decoding is performed in a single iteration. The Office admits that Wu and Nagata fail to teach decoding in a single iteration. Rather, the Office relies on passages in Bohnke, which teaches that “...the turbo decoder only performs one decoding iteration step at a time...” Col. 6, lines 31-38. However, a closer inspection of the passages surrounding the cited passages would show that “...means for checking the decoded information after each decoding iteration and for causing said decoding iteration means, e.g. said turbo decoder, to perform *a further decoding iteration* on the basis of a checking result.” Col. 6, lines 39-46. To this extent, Bohnke specifically teaches multiple decoding iterations, i.e., a further decoding iteration after each decoding iteration. As such, the passages of Bohnke cited by the Office fail to teach or suggest decoding in a single iteration. Furthermore,

the passages of Bohnke cited by the Office fail to teach or suggest how or if its turbo decoder would function in a trick play environment. Thus, the Office's suggested incorporation of Bohnke into environments of Wu and Nagata would produce unpredictable results, at best. Accordingly, Applicants respectfully request that the Office withdraw its rejection.

With respect to dependent claims, Applicants herein incorporate the arguments presented above with respect to the independent claims from which the claims depend. Furthermore, Applicants submit that all dependant claims are allowable based on their own distinct features. Since the cited art does not teach each and every feature of the claimed invention, Applicants respectfully request withdrawal of this rejection.

C. REJECTION OF CLAIMS 1-13 and 15-17 UNDER 35 U.S.C. §103(a)

With regard to the 35 U.S.C. §103(a) rejection over Wu in view of Nagata and Kim, Applicants assert that the combined features of the references cited by the Office fail to teach or suggest each and every feature of the claimed invention. For example, with respect to independent claims 1 and 8, as argued herein with respect to independent claim 14, Applicants respectfully submit that Wu fails to teach or suggest the single iteration of the claimed invention. Kim does not cure this deficiency.

Further, Applicants continue to submit that the cited references fail to teach or suggest "...disengaging a frame synchronization signal within the MPEG-2 decoder." The Office admits that Wu and Nagata do not teach this feature. Instead, the Office relies on a passage of Kim, which the Office states teaches removal of a one byte synch *from the trick play data*. However, as argued previously, this one byte synch is a byte in the trick play data itself and is removed

from the data itself and, as such, is not a signal that is within the MPEG-2 decoder. Conversely, elsewhere Kim specifically teaches that trick play data is recorded according to a track signal and this track signal is never taught as being disengaged. Col. 7, lines 57-65. Thus, Kim does not teach disengaging of a frame synchronization signal within the MPEG-2 decoder. Accordingly, Applicants respectfully request that the Office's rejection be withdrawn.

With regard to the Office's other arguments regarding dependent claims, Applicants herein incorporate the arguments presented above with respect to independent claims listed above. In addition, Applicants submit that all dependant claims are allowable based on their own distinct features. However, for brevity, Applicants will forego addressing each of these rejections individually, but reserve the right to do so should it become necessary. Accordingly, Applicants respectfully request that the Office withdraw its rejection.

IV. CONCLUSION

In addition to the above arguments, Applicants submit that each of the pending claims is patentable for one or more additional unique features. To this extent, Applicants do not acquiesce to the Office's interpretation of the claimed subject matter or the references used in rejecting the claimed subject matter. Additionally, Applicants do not acquiesce to the Office's combinations and modifications of the various references or the motives cited for such combinations and modifications. These features and the appropriateness of the Office's combinations and modifications have not been separately addressed herein for brevity. However, Applicants reserve the right to present such arguments in a later response should one be necessary.

In light of the above, Applicants respectfully submit that all claims are in condition for allowance. Should the Examiner require anything further to place the application in better condition for allowance, the Examiner is invited to contact Applicants' undersigned representative at the number listed below.

Respectfully submitted,

/Hunter E. Webb/

Date: May 18, 2009

Hunter E. Webb
Reg. No.: 54,593

Hoffman Warnick LLC
75 State Street, 14th Floor
Albany, New York 12207
(518) 449-0044
(518) 449-0047 (fax)